



**ARKANSAS INSURANCE DEPARTMENT
LEGAL DIVISION**

1200 West Third Street
Little Rock, AR 72201-1904
501-371-2820
FAX 501-371-2629

**UNFAIR DISCRIMINATION IN LIFE INSURANCE AND
DISABILITY INSURANCE ON THE BASIS OF BLINDNESS
OR PARTIAL BLINDNESS**

RULE AND REGULATION 37

EFFECTIVE DATE
AUGUST 1, 1985

SECTION

1. PURPOSE
2. AUTHORITY
3. UNFAIRLY DISCRIMINATORY ACTS OR PRACTICES
4. EFFECTIVE DATE AND APPLICABILITY

SECTION 1. PURPOSE

The purpose of this rule is to implement Ark. Stat. Ann. §66-3005(7) so as to prevent unfair discrimination in life insurance, annuities and disability insurance on the basis of blindness or partial blindness.

SECTION 2. AUTHORITY

This rule is issued pursuant to the authority vested in the Commissioner under Ark. Stat. Ann. §66-2111, §66-3001 through §66-3028, §5-702 and §5-703

SECTION 3. UNFAIRLY DISCRIMINATORY ACTS OR PRACTICES

The following are hereby identified as acts or practices which constitute unfair discrimination between individuals of the same class: Refusing to insure, or refusing to continue to insure, or limiting the amount, extent or kind of coverage available to an individual, or charging an individual a different rate for the same coverage solely because of blindness or partial blindness.

With respect to all other conditions, including the underlying cause of the blindness or partial blindness, persons who are blind or partially blind shall be subject to the same standards of sound actuarial principles or actual or reasonably anticipated experience as are sighted persons.

Refusal to insure includes denial by an insurer of disability insurance coverage on the grounds that the policy defines "disability" as being presumed in the event that the insured loses his/her eyesight.

However, an insurer may exclude from coverage disabilities, consisting solely of blindness or partial blindness when such condition existed at the time the policy was issued.

SECTION 4. EFFECTIVE DATE AND APPLICABILITY

This rule shall be effective August 1, 1985, and shall be applicable to all life insurance, annuities and disability policies delivered or issued for delivery in this State on or after such date, and to all existing group contracts which are amended or renewed on or after the effective date including group contracts issued in another State insofar as their coverage of residents of this State is concerned.

(signed by Commissioner Eubanks)

Robert M. Eubanks III
Insurance Commissioner